

# Q&A on Comm 83 Code Package

by Roman Kaminski, S&B POWTS Program Manager,  
715-345-5334, rkaminski@commerce.state.wi.us

Q. What is the status of the Comm 83 code revision package?

A. The implementation date is set as July 1, 2000. There may be a lawsuit to try to stop implementation.

Q. Is the new revised Comm 83 the one on the state Revisor of Statute's website, which is linked from the Safety and Buildings Division WebSite?

A. The version that is on the website is the official version of the new code. Paper versions are available from state Document Sales, 608-266-3358, or, for credit card purchases, 800-362-7253. The revisor's site is <http://www.legis.state.wi.us/rsb/code/codtoc.html>. The S&B WebSite, with additional information on Comm 83, is <http://www.commerce.state.wi.us/SB/SB-HomePage.html>.

Q. Can any municipality invoke the optional delay for use of certain technologies, designs, or methods delineated in Table 83.04-2 of the revised code?

A. No. Only a county (the "governmental unit") can adopt an ordinance that could contain a delay provision. The county may take into account requests from other municipalities within its boundaries when the delay provisions are written. For example, if a town desires to delay use of a technology within its boundaries for a period of time, (up to January 1, 2003), the town cannot pass an ordinance to that effect. However, the town can approach the county and request the county place a delay for that town in the county ordinance.

Q. Does the revised code mandate a specific way the delay must be handled by a county?

A. No. The only requirement is that the delay must be implemented by ordinance. The revised code does not specify a specific strategy as to the scope of the limitation. For example, options could include a complete prohibition or a prohibition only within a certain geographical area, a quota system, a permit to operate requirement, or a performance

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## Wisconsin Plumbing Codes Report

Safety and Buildings Division, Department of Commerce

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Sample S&B email address: [tjoyce@commerce.state.wi.us](mailto:tjoyce@commerce.state.wi.us)

## Safety and Buildings Offices

Green Bay Office  
2331 San Luis Pl #150  
Green Bay WI 54304  
920-492-5601  
Fax 920-492-5604  
[greenbaysch@commerce.state.wi.us](mailto:greenbaysch@commerce.state.wi.us)

Hayward Office  
10541N Ranch Rd.  
Hayward WI 54843  
715-634-4870  
Fax 715-634-5150  
[haywardsch@commerce.state.wi.us](mailto:haywardsch@commerce.state.wi.us)

La Crosse Office  
4003 North Kinney  
Coulee Road  
LaCrosse WI 54603  
608-785-9334  
Fax 608-785-9330  
[lacrossesch@commerce.state.wi.us](mailto:lacrossesch@commerce.state.wi.us)

Madison Office  
201 W Washington Ave  
PO 2658  
Madison WI 53701  
608-266-3151  
Fax 608-267-9566  
[madisonsch@commerce.state.wi.us](mailto:madisonsch@commerce.state.wi.us)

Shawano Office  
1340 E Green Bay St #300  
Shawano WI 54166  
715-524-3626  
Fax 715-524-3633  
[shawanosch@commerce.state.wi.us](mailto:shawanosch@commerce.state.wi.us)

Waukesha Office  
401 Pilot Ct # C  
Waukesha WI 53188  
262-548-8600  
Fax 262-548-8614  
[waukeshasch@commerce.state.wi.us](mailto:waukeshasch@commerce.state.wi.us)

## Plan Review Scheduling

For plan review scheduling for Plumbing and Buildings, call the S&B office numbers listed above, or contact the email address shown. Fax scheduling is possible, 877-840-9172. Information about the project will be needed to schedule the plan review. Any of the offices can schedule the first appropriate plan review available statewide.

Plan review for Private Onsite Wastewater Treatment Systems is provided on a first-come, first-served basis. Contact one of the offices for information.

For scheduling info, also see <http://www.commerce.state.wi.us/SB/SB-DailyDoc.html>.

Direct comments, address, suggestions for articles, etc., to Todd Taylor. Fax 608-264-8795. Telephone 608-267-3606.  
[ttaylor@commerce.state.wi.us](mailto:ttaylor@commerce.state.wi.us)  
Madison mailing address above.

## Plumbing Consultants

Tim Joyce .....Madison .....608-825-4724  
Don Oremus .....Pelican Lake .....715-487-6123  
Jim Wehinger .....Friendship .....608-339-7430  
Jim Zickert .....Eldorado .....920-872-2656  
Tom Bembnister, Superv. ....715-726-4520

## Plumbing Plan Reviewers

Ryan Boebel .....Madison .....608-261-6535  
Herman Delfosse .....La Crosse .....608-789-5535  
Tom Devereaux .....Hayward .....715-634-3026  
Wes Grube .....Green Bay .....920-492-5613  
Dan Kraft .....Madison .....608-266-8075  
Ken Pertzborn .....Madison .....608-267-2242  
Robert Samuels .....Waukesha .....262-548-8634  
Curt Wendorff .....Shawano .....715-526-9056

## Plumbing Products Reviewers

Mike Beckwith .....Madison .....608-266-6742  
Dan Jensen .....Madison .....608-267-5265  
Glen Schlueter .....Madison .....608-267-1401

## POWTS Plan Reviewers

Tom Devereaux .....Hayward .....715-634-3026  
Wes Grube .....Green Bay .....920-492-5613  
Julia Lewis .....Waukesha .....262-548-8638  
Robert Kanter .....Madison .....608-261-7735  
Pete Pagel .....Madison .....608-266-2889  
Jim Quinlan .....Madison .....608-266-3937  
Pat Shandorf .....Hayward .....715-634-7810  
Jerry Swim .....La Crosse .....608-785-9348  
Keith Wilkinson .....Shawano .....715-524-3630

## POWTS Wastewater Specialists

Ross Fugill .....Shawano .....715-524-3629  
Leroy Jansky .....Chippewa Falls .....715-726-2544  
Carl Lippert .....Hayward .....715-634-3484  
Karl Schultz .....Oshkosh .....920-424-3311  
Dennis Sorenson .....La Crosse .....608-785-9336  
Duane Steiner .....West Baraboo .....608-355-3159  
Allen Wendorf .....Madison .....608-873-5476  
Harold Stanlick, Superv. ....262-521-5065

## Public Swimming Pool Reviewer

Dave Russell .....Madison .....608-267-3605

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# Event Calendar

Contact the listed Code Consultant for information on the meeting agendas, locations, etc. If you have questions concerning technicalities of the codes which are the subjects of the meetings, contact consultants and reviewers in the appropriate program area.

June 19, 2000 - Friday - *HVAC Code Council* - 8:30 a.m. to 2 p.m. - Thompson Bldg., Rm. 3B, 201 W Washington Ave., Madison - Jean MacCubbin, 608-266-0955, [jmaccubbin@commerce.state.wi.us](mailto:jmaccubbin@commerce.state.wi.us)

July 13, 2000 - Thursday - *Commercial Building Code Council* - 9 a.m. to 3 p.m. - Tentative location UW-Madison Ag Research Station, 8502 Mineral Point Rd, Verona - Sam Rockweiler, 608-266-0797, [srockweiler@commerce.state.wi.us](mailto:srockweiler@commerce.state.wi.us)

July 13, 2000 - Thursday - *Fire Safety Code Council* - 9 a.m. to 2 p.m. - Tentative location Thompson Bldg., Rm. 3B, 201 W Washington Ave., Madison - Duane Hubeler, 608-266-1390, [dhubeler@commerce.state.wi.us](mailto:dhubeler@commerce.state.wi.us)

## Picks to Click - Websites of interest to the plumbing industry

<http://www.epa.gov/OGWDW/uic/cv-fs.html>: the federal Environmental Protection Agency Office of Ground Water and Drinking Water about ClassV Injection Wells.

<http://badger.state.wi.us/agencies/drl/>: the state Department of Regulation and Licensing for information on how to obtain designer, home inspector, and other credentials ("Application Information"), and information on who currently holds various credentials (Credential Holder Query").

<http://www.wisc.edu/sswmp/>: University of Wisconsin - Madison Small Scale Waste Management Program for information on developing methods to treat and dispose wastewater in unsewered areas.

**S&B WebSite** - <http://www.commerce.state.wi.us/SB/SB-HomePage.html>

For those of you who receive the WPCR free because you have a particular license administered by the Safety and Buildings Division, address changes should be provided to the S&B Credential Unit, [madisoncred@commerce.state.wi.us](mailto:madisoncred@commerce.state.wi.us), 608-261-8500.

People with paid subscriptions, may request service and address changes from Material Orders, PO Box 2509, Madison, WI 53701. Fax 608-261-6699. Telephone 608-267-4405. Email [phobbs@commerce.state.wi.us](mailto:phobbs@commerce.state.wi.us)

Subscriptions are \$20, payable in advance to the Safety and Buildings Division for 12 monthly issues.



# There's some variation on how long you need to wait for a plumbing inspection

by Lynita Docken, S&B Plumbing Program Manager, 608-785-9349, ldocken@commerce.state.wi.us

You called for an inspection on Thursday morning. It's now 4:30 on Friday afternoon. You'd like to cover the work and get home. How long does the code require you to wait for a plumbing inspection?

Comm 82 addresses commercial or public building inspections, Comm 20 has requirements for one- and two-family dwellings, and Comm 83 has requirements for private sewage systems.

## Commercial or Public Buildings - Wait until the end of the next business day!

Comm 82.21(1)(b)1a says "The plumber responsible for the installation shall notify the plumbing inspector in person, by telephone or in writing when the work is ready for inspection." The code further explains that "b. If the inspection is not made by the end of the normal business day following the day of notification, not including Saturday, Sunday or legal holidays, the plumber may proceed with the testing and the installation."

## One- and Two-Family Dwellings - Wait two business days!

The plumbing code references the Uniform Dwelling Code (UDC) for one- and two-family dwelling (home) inspections. Comm 20.10 requires that "rough plumbing" be inspected. The UDC also requires "The applicant or an authorized representative shall, in writing or orally, request inspections of the department or the municipality administering and enforcing this code. The department, or the municipality administering and enforcing this code, shall perform the requested

inspection within 2 business days after notification, except the final inspection. **Construction shall not proceed beyond the point of inspection until the inspection has been completed. Construction may proceed if the inspection has not taken place within 2 business days after notification, except if otherwise agreed between the applicant and the department or the municipality administering the enforcing the code."**

Remember that not all municipalities enforce the UDC. Also, be aware that there are changes going on concerning which municipalities enforce the UDC. (See page 7).

## POWTS - Wait until the end of the next business day!

Comm 83.19(1)(a) states the "plumber responsible for the installation of a private sewage system shall notify the county when the system is ready for inspection. The notification shall be in person, in writing, or by telephone or electronic communication." Comm 83.19(1)(c) states: "If an inspection is not made by the end of the next work day, excluding Saturdays, Sundays and holidays, after notifying the county, the plumber may proceed ..."

**Local governments cannot require anyone to wait longer than the plumbing code and UDC set forth; these are uniform statewide codes.**

If you have questions about the rules, contact a Plumbing or Private Sewage Plan Reviewer, Plumbing Consultant, Wastewater Specialist, or Local Inspector for more information.

State administrative codes and the code update service may be purchased by contacting state Document Sales, 608-266-3358, or 800-362-7253, for credit card purchases. ❖ ❖ ❖ ❖ ❖ ❖

# Study says POWTS tank additives had no effect

There was no general pattern of effect due to the use of POWTS tank additives, according to a year-long study involving 48 tanks in South Carolina. A report on the study was printed in the Summer, 1999, *Small Flows*, a publication of the National Small Flows Clearinghouse (NSFC).

The research was presented as a 1998 master's thesis titled "The Effect of Bacterial Additives on Septic Tank Performance," by Gregory H. Clark, then a graduate student in North Carolina State University's Soil Science Department.

Clark's primary goal was to quantify the impact of bacterial additives upon POWTS tank performance through measurements of sludge depth, scum thickness, total suspended solids, five-day biochemical oxygen demand, and microbial levels within treated and untreated tanks.

Clark's study spanned one year (January 1997 to December 1997), and targeted 48 POWTS tanks in two mobile home parks in North Carolina's Chatham and Orange counties.

Clark reportedly chose mobile home parks in which to conduct the study so that researchers could access numerous POWTS located in close proximity, reducing travel costs and sampling time, and enabling researchers to replicate tests.

Treatments for the study consisted of three liquid bacterial tank additives and a control (no additive). The additives were purchased from a local retail store in the same manner a consumer would

purchase them.

"The additives tested did not provide any substantial or long-term statistically significant benefits compared to the control (no additive) for the parameters and conditions tested during this research project. It was concluded that this study does not demonstrate any practical value from using bacterial septic tank additives," according to *Small Flows*.

The article also reported, "More research is needed under many different circumstances before definitive conclusions can be drawn about the practical benefits of using bacterial additives in septic tanks."

The report on the research in *Small Flows*, as a PDF file, is available from the NSFC website, <http://www.estd.wvu.edu/nsfc/SFs99.pdf>.

A copy of the article also can be obtained from Todd Taylor, Safety and Buildings Division, fax 608-264-8795, [ttaylor@commerce.state.wi.us](mailto:ttaylor@commerce.state.wi.us), 608-267-3606.

Component manuals for the new Comm 83 are available on the S&B WebSite, <http://www.commerce.state.wi.us/SB/SB-Publications.html>

## S&B Bureau of Integrated Services Management Contacts

Bureau Director: Randy Baldwin, 608-267-9152  
Green Bay office: Brad Johnson, 920-492-5605  
Hayward Office: John Spalding, 608-789-4693  
LaCrosse Office: John Spalding, 608-789-4693  
Madison Office: Clyde Bryant 608-266-1835  
Mary Jacobson 608-266-8456  
Jim Miller 608-266-8072  
Credentialing Unit Supervisor, Terry  
Gudmandsen: 608-261-6554  
Mobile Home Unit Super., Malini  
Ganeshapillai, 608-266-5333  
Shawano Office: Brad Johnson, 715-524-6853  
Waukesha Office: Tony Rubio, 262-548-8610

## Questions about your continuing education credits?

Check the mailing address back page for a printed line giving your status for inspection-related S&B certifications, licenses, and registrations. Or, call the Credentialing Unit, 608-261-8500. Or, check the S&B WebSite, <http://www.commerce.state.wi.us/SB/SB-HomePage.html>, choose "Credentials."

# During changeover to revised Comm 83, timing is important for plan review and obtaining permits

With the July 1, 2000 implementation of the new Comm 83 Private Onsite Wastewater Treatment System code, obtaining Sanitary Permits and plan review scheduling must be emphasized. [Note: A lawsuit threatened against implementation of the revised code may result in a delay.]

The issuance of a Sanitary Permit is based on the regulations in force on the date of permit approval. Therefore, if a POWTS design only complies with the “old” code, the Sanitary Permit for the system must be obtained before July 1, 2000.

If someone receives approval for a POWTS on any date with a system design based on the revised code, the Sanitary Permit must be obtained on or after July 1.

S&B anticipates a rush of plans submitted at the last minute with designs under the “old” code. S&B plan review capacity is limited, so division staff suggest designers have such POWTS plans approved and the Sanitary Permit

application submitted to the county well in advance of June 30. Because of a flurry of activity, it could be difficult to obtain a Sanitary Permit from the county in the last day or two of June. Plans or permit applications which are received during the last week of June, might not be dealt with until after July 1.

Any Sanitary Permits renewed prior to July 1 can be renewed under the “old” code and would remain valid for a period of two years from the date of renewal. Any permits renewed on or after July 1 will have to be renewed under provisions of the revised code.

On June 26 S&B will begin accepting plans designed under the revised code. Plans designed under the revised code, received during the week of June 26 and after, will be reviewed according to the revised code. Contact a S&B office or visit the S&B WebSite to check on the need for any new forms under the revised code.

Anyone submitting plans in the last week of June must make it clear on the review application according to which version of the code the plans were designed. Default will be a review under the “old” code.

In the last week of June plans will be reviewed in with priority given to plans submitted under the “old” code. However, designers submitting plans under the “old” code in that last week of June will be hard pressed to get their Sanitary Permit before the close of work on June 30.

“However, designers submitting plans in that last week of June will be hard pressed to get their Sanitary Permit before the close of work on June 30.”

Each S&B office has many POWTS plans “on hold,” waiting for additional information. Plans that are still awaiting additional

information after June 30 will be reviewed under the revised code. Plans that don’t meet the revised code will be closed out and returned to the submitter. If that happens, new plans and a new application fee will need to be submitted.

If you have questions regarding how POWTS plans will be processed by S&B during the transition period to the revised code, contact Brad Johnson, POWTS Integrated Services Section Chief, at 920-492-5605 (Green Bay) or 715-524-6853 (Shawano), email [bjohnson@commerce.state.wi.us](mailto:bjohnson@commerce.state.wi.us).

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## Safety and Buildings-related codes are on the Internet

<http://www.legis.state.wi.us/rsb/code/comm>

Not all codes are available electronically. Paper copies may be purchased from Document Sales, 800-362-7253, for credit card purchases, or 608-266-3358.

# UDC changes affect contractors and inspection systems

Beginning May 1, 2000, all Wisconsin municipalities of less than 2500 population have to formally decide whether to enforce the Uniform Dwelling Code, the statewide building code for one- and two-family dwellings built since June 1, 1980.

Municipalities of that size have the option of whether or not to enforce the UDC for buildings of that age. Previously, municipalities were not mandated to formally decline enforcement, if that was their choice.

In any case, the UDC applies to all newer dwellings throughout Wisconsin.

If more municipalities choose to enforce the UDC, there will be more inspection work available statewide. Contractors and installers will need to pay extra attention to the UDC regulations in the locality in which they are working.

If municipalities do not already have local UDC enforcement, and they do not formally decline enforcement, then the Safety and Buildings Division has authority to enforce the UDC in that municipality.

For municipalities that do not adopt a resolution declining enforcement, and which choose to not do enforcement themselves, S&B plans to contract out enforcement to state-certified independent inspectors, where they are available. There would likely be a bidding process, beginning around midyear 2000. The first round of contracts would likely be effective around the beginning of 2001.

**For homeowners,** this law change means a greater assurance of the health, safety, energy efficiency, and durability of their home, which is typically their largest lifetime investment.

**For some building contractors and designers,** this will mean they will need to be more aware of code and permitting requirements, as more municipalities start enforcing the UDC. In enforcing areas, this also means conscientious builders will be at a less of a competitive disadvantage to other, less conscientious builders.



A new dwelling in Elroy,  
Juneau County

**For building inspectors,** there will be an increased demand for inspector services by municipalities and by the state through S&B's contracting program. In rural areas with longer travel distances, newly-hired inspectors may need to be certified in all four UDC categories - construction, HVAC, electrical, and plumbing.

UDC inspector certification is by examination. Anyone interested in certifications can contact S&B's Credentialing Unit, 608-261-8500, [madisoncred@commerce.state.wi.us](mailto:madisoncred@commerce.state.wi.us) for the inspector certification information packet, or to register for exams.

S&B is working with the state's vocational technical college system and the University of Wisconsin to offer training for new inspectors and for building contractors. To get current information, contact your local vocational-technical college or S&B's Credentialing Unit, 608-261-8500, [madisoncred@commerce.state.wi.us](mailto:madisoncred@commerce.state.wi.us).

*A few things to remember: A person must hold the Dwelling Contractor Financial Responsibility Certification with S&B in order to take out building permits for any home that they will not occupy. The responsible S&B-licensed master plumber must be declared before interior plumbing work begins. Local inspectors need to be called for inspections at various points prior to covering completed work or allowing occupancy of the dwelling.*

# POWTS credential Q and A looks at who can do pieces of the installation work

Q1) Must a master plumber stake the POWTS mound, or can a surveyor, architect, etc., do it?

Answer: Anyone can stake it out. However, the plumber is responsible for its location.

Q2) Must a master plumber run the heavy equipment, cut the weeds, plow the mound, or place the final cover and seed the mound?

Answer: No, one doesn't need a plumbing credential to perform the tasks in question. Licensed plumbers must be the ones doing work defined in the POWTS code as "plumbing." The tasks noted in the question should be done with care, so as to not ruin the site and to comply with the code.

Q3) Must a master plumber seal the cover of the septic tank? What about manufacturer's warranty?

Answer: No, the master is responsible for the cover, but other plumbers may do the work. In general, there are no manufacturers' tank warranties. Comm 83.15(1) says the tank must be watertight, Comm 83.20(3)(b) says the tank must withstand the pressure to which it will be subjected.

Q4) Can the manufacturer place the tank in the hole without a plumber present?

Answer: Yes, the manufacturer can place the tank without a plumber present. However, the master plumber is responsible for the tank being level and for the connections of piping from the tank.

Q5) Does the master plumber have to wire the pump, etc., or must a licensed electrician do that?

Answer: Administrative code does not mandate the person doing POWTS electrical work to have a credential. Statutes indicate the person doing the work is responsible for complying with the electrical code. A knowledgeable plumber can do the work in places where there are not more restrictive local ordinances.

Q6) Can a pipe from the building to the POWTS tank be hooked up by someone with a utility

contractor's license?

Answer: Yes. A utility contractor can install the pipe from the building to the tank and can make the connection at the tank inlet. Any pipe installed from the outlet of the tank must be done by a properly licensed plumber.

Q7) Can a laborer drill holes in the mound pipes?

Answer: No. A plumber must drill the holes in distribution pipes, if the holes are drilled at the site. There are no credentialing requirements for pre-drilled pipe.

Q8) Must the plumber carry his supplies and tools from his truck to the job or can a laborer do that?

Answer: A laborer can do it.

Q9) Does the master/journeyman plumber have to be present during inspections?

Answer: No, unless the plumber is required by the county to be present.

If you have questions, please contact one of the POWTS or plumbing consultants listed on page two of this *WPCR*. Consultants and their county responsibilities are available on the S&B WebSite, <http://www.commerce.state.wi.us/SB/SB-Contacts.html>.

Lists of people who hold various credentials with S&B are available off the division WebSite, <http://www.commerce.state.wi.us/SB/SB-HomePage.html>. Choose "Credentials."



# Changes to Comm 83 involve dwelling code

by Laurence J. Swaziek, S&B UDC Program Manager, 608-267-7701,  
[lswaziek@commerce.state.wi.us](mailto:lswaziek@commerce.state.wi.us)

Changes to Comm 83, the Private Onsite Wastewater Treatment Systems code, have been adopted, with an effective date of July 1, 2000. Since the POWTS governed by this change can be used in conjunction with one- and two-family dwellings, the new Comm 83 means changes to the Uniform Dwelling Code, Comm 20 - 25.

The changes include:

- \* Adding definitions for the terms “composting toilet system,” “incinerating toilet,” and “privy” to Comm 20.07.
- \* Creating Comm 25.02, which specifies that composting toilets, incinerating toilets, and privies meet the requirements of Comm 91.
- \* Modifying and converting to code language the note under Comm 20.09(5)(b)2 referring to “prohibition of issuance of a building permit until a POWTS system, if required, has been permitted.”
- \* Adding to the UDC appendix, Comm 20.09, a reprint of the new Comm 83.25(2) dealing with issuance of building permits.

These changes will not become effective until July 1, 2000. As always, for an exact copy of the code text and the code requirements, please refer to the actual code document. You may purchase a paper copy from Document Sales at 608-266-3358. You may also access the S&B Home page, [www.commerce.state.wi.us/SB/SB-HomePage.html](http://www.commerce.state.wi.us/SB/SB-HomePage.html), choose “Codes,” and find the new code language. The paper or electronic versions now contain the Comm 83-related changes.

There are no changes to the construction, energy, or HVAC requirements of the UDC. Changes in those areas will not take place until around April or May of 2001.

There have been threats from several Wisconsin organizations to bring legal action to try to block implementation of Comm 83 changes. News media and the S&B Home Page (noted above) will provide information on the situation.

If you have any questions, please contact Larry Swaziek, Program Manager, One- and Two-Family Dwelling Program, 608-267-7701,  
[lswaziek@commerce.state.wi.us](mailto:lswaziek@commerce.state.wi.us).

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## *How many of you are there?*

Numbers of people holding some of the credentials administered by the Safety and Buildings Division.

Cross Connection Control Device Tester .....	1005
Dwelling Contractor Financial Responsibility ....	7078
Journeyman Plumber .....	2296
Journeyman Plumber - Restricted Appliance ....	302
Journeyman Plumber - Restricted Service .....	385
Master Plumber .....	2531
Master Plumber - Restricted Appliance .....	262
Master Plumber - Restricted Service .....	572
Pipe Layer .....	788
Plumbing Apprentice .....	1007
Plumbing Learner - Restricted Appliance .....	156
Plumbing Learner - Restricted Service .....	206
POWTS Inspectors .....	385
UDC-Plumbing Inspectors .....	599
Utility Contractor .....	322

See Comm 5 for information about these licenses, certifications, and registrations.

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Stop and visit with Safety and Buildings Division staff at Wisconsin Farm

Progress Days 2000, July 11-13, 2000 in Fond du Lac County, outside of Eden.



# When using the new POWTS component manuals, these are some of the differences between the old and new Comm 83 system design and installations

First of all, the terms “trench” or “bed” are not used; the term used is “distribution cells.”

These are the most significant changes; otherwise, the designs are much like those under the old code.

## In-ground Soil Absorption Component (includes conventional below grade systems:

1. The new width is limited to a maximum of six feet. No limit appears in the old code.
2. Maximum wastewater flow is 5000 GPD. No limit appears in the old code.
3. Minimum depth of cover is 12 inches, rather than 20 inches.
4. There is no minimum depth below original grade; the cell can be even with the original. All of the final minimum backfill can now be fill.
5. Original slope can be up to 25 percent in the system area. 20 percent is the limit in the old code.
6. Cells can be three feet apart. The old standard was six feet.
7. Distribution laterals in the revised code can be

laid level or may be sloped at a maximum of four inches per 100 feet of length.

8. There is a new requirement that there be seeding or mulching, or that sod be laid.

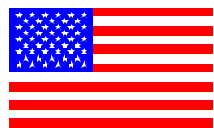
9. A vent pipe is longer required, however, observation pipes must be brought up to grade.

## At-grade Component

1. Wastewater flow is limited under the revised code to a maximum of 5000 GPD.
2. There is a maximum of 4.5 gal/foot linear load, similar to mound sites.
3. Hole spacing has to be at least one for every two linear feet of distribution cell (two feet apart).
4. The maximum effective width is ten feet.
5. A minimum of two observation pipes must be extended to finished grade.

Next month, differences will be featured concerning the Mound Component and the Pressure Distribution Component.

## POWTS New technology Training Seminar



8:30 a.m. to 3 p.m., July 17, 2000, Club Fond du Lac, 977 West Scott Street (OOO), Fond du Lac

### Code Update, Aerobic Systems, Sand Filters, Q&A

Organized by the Safety and Buildings Division with able assistance of Wayne Mink, POWTS Advisory Code Committee member - No charge - Lunch provided by sponsors - Pre-registration appreciated by June 30, call Wayne Mink, 920-922-3830

Six hours of continuing education for Master Plumbers, Master Plumbers - Restricted Service, Journeyman Plumbers, Journeyman Plumbers - Restricted Service, POWTS Inspectors, Soil Testers, POWTS Maintainers

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bonding provision. A county could choose to implement these types of strategies for any, some, or all of the technologies listed in Table 83.04-2 of the revised code.

Q. Will the counties be required to submit their revised ordinances to S&B for review?

A. No. Submittal to S&B of county ordinance revisions that relate to the POWTS program is not required.

Q. We keep hearing that counties can “opt out” of the entire revised Comm 83 code for a period of up to three years. Is this correct?

A. Yes, in part. A governmental unit (county) may, by ordinance, invoke an optional delay for use of certain technologies, designs, or methods delineated in Table 83.04-2, up to January 1, 2003. A county may not opt out of implementing the rest of the code.

Q. What will be done to address soil test reports that contain percolation test and/or soil boring information based on previous code requirements?

A. Soil tests that contain perc test data that were filed prior to July 2, 1994 can continue to be recognized. See Comm 83.44(4)(a)1e. Also, Table 83.44-1 lists soil application rates based on perc rates. However, a decision regarding the suitability of an individual soil report (perc or bore hole data) can always be made as part of the Sanitary Permit issuance process at the county level. A county can request verification of information, additional information, or decide the report on file is inadequate and cannot be used.

Q. Does the revised code contain a specific subsection that addresses minimum septic tank capacity requirements?

A. No. There is no specific code section that addresses septic tank sizes. What is happening right now is that the S&B Plumbing Product Review Section has sent letters to tank manufacturers informing them of the need for revised approvals for

their products. As part of this process, each tank will be assigned treatment and flow credit based on retention time and predicted three-year pumping intervals. That will drive tank sizes for specific site applications. Designers/Installers will be able to select tanks that will meet the design they are contemplating, based on ratings assigned to each tank. (This is a good example of how performance criteria in the revised code will be part of the decision-making process.) The May issue of the *WPCR*, page 8, had an explanation of this product review process.

Q. In the former code, Comm 83.06(2)(c) allowed a sanitary permit to be transferred between owners and between plumbers. The language in the revised Comm 83.21(4) seems to imply that a permit transfer can only be done between owners. Is there a provision that allows permit transfers between plumbers, or is a new sanitary permit required if a change in plumbers occurs?

A. Not between plumbers. Based on the provisions found in Chapter 145, Wis. Stats., the Sanitary Permit has always belonged to the owner, not the plumber. A new permit is not required if the owner chooses another plumber, but the application paperwork should reflect the change. If the original plan was prepared by an engineer, designer, or architect, the plan does not need to be re-approved. If a plumber prepared the plans, then review of plans prepared by the new plumber would be required. See Comm 83.22(2)(c) and 443.17, Wis. Stats.

Q. Under Comm 83.21(7), Sanitary Permit revocation is the only option identified if problems occur from false statements or misrepresentation of facts. Can a county ordinance include a provision to allow a Sanitary Permit to be suspended? If the conditions causing the suspension are rectified, then can reinstatement of the permit occur?

A. What you describe is possible. This code subsection states: “A governmental unit may revoke a sanitary permit...” A county can certainly choose to implement an interim step such as a “stop-work

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order” or suspension. The interim process step should be clearly identified in the county ordinance.

Q. Under the former Comm 83.055, some counties have developed a program that addresses such issues as improvements to buildings caused by greater than 25 percent remodeling and changes in building usage. Can a county adopt, by ordinance, provisions similar to the former Comm 83.055 rules, which would be more restrictive, or must a county abide by the rules in the revised code, Comm 83.25(2)?

A. Yes, a county can adopt provisions they may have developed under the previous Comm 83.055. 145.20(2)(e) and (g), Wis. Stats., give the local governmental unit broad authority to perform activities “considered appropriate by the governmental unit responsible for the regulation of private sewage systems...”

Q. Does S&B foresee a problem with having a maintenance program that requires septic tank maintenance on a two-year rather than three-year basis? Although the code refers to sludge and scum volume as being the deciding factor for tank maintenance, does an increased maintenance schedule create a problem with a county being too restrictive?

A. 145.245(3), Wis. Stats., gives the option of “inspection *or* pumping”. Requiring treatment tanks be pumped every two years is in conflict with this statutory option.

Q. We keep hearing that if a filter is installed on the outlet side of a septic tank that documentation will have to be recorded with the deed. Is this correct?

A. Comm 83.21(2)(c)5 states documentation of maintenance requirements must be recorded with the deed for the property, if the management plan for the installation or modification under Comm 83.54(1) involves one or more of the following: a. Evaluating

or monitoring any part of the system at an interval of 12 months or less; b. Servicing or maintaining of any part of the system at an interval of 12 months or less. Unless a management plan includes information from the manufacturer of the filter component, or the system designer that specifies either of the conditions cited above, documentation would not have to be recorded with the deed.

Q. Will a county need to be specifically authorized to issue Sanitary Permits and conduct inspections on POWTS systems identified in Table 83.04-1? What process is used in obtaining S&B approval or in verifying that S&B authorization has been obtained? What information is needed by S&B to approve staff and/or the county for a POWTS system?

A. No. S&B will not be specifically “authorizing” counties to issue Sanitary Permits and conduct inspection on POWTS technologies identified in Table 83.04-1. During the POWTS plan review process, we may ask for confirmation, in the form of a letter, of attendance at recognized training, similar to the former Comm 83.09(2)(b) policy plan review procedures.

Q. What is the definition of a “mechanical” POWTS? Does this include the Bio-Microbics Fast, Cromaglass, Whitewater, Multi-flow, Norweco, etc. type systems, or is it a specialized design?

A. Mechanical POWTS treatment components primarily consist of aerobic treatment units (ATUs). They may also include other units such as sand filters, where some form of mechanical treatment mechanism or process is involved within another component. For example, some ATU’s are self-contained - the entire treatment process is contained in a tank specifically designed for that unit. Others may consist of a treatment component that is designed to be placed inside of another tank that is also serving other treatment processes.

Q. Does the “Terralift” or other similar remediation process require a sanitary permit be issued?

A. No. Comm 83.21(1)(b) specifically identifies the circumstances when a Sanitary Permit must be issued. The “Terralift” or similar remediation process does not meet any of the conditions cited. However, a county should consider instituting some form of notification process (similar to the process currently in place) to ensure that the “Terralift” or any other soil remediation process is only used on POWTS systems that are located with the proper vertical soil separation distance above a limiting condition.

Q. Before a county issues a Sanitary Permit, must documentation be provided that the plumber has completed training for the approved POWTS type? Will there be a listing of certified installers that counties will have access to?

A. Yes. Before issuing a Sanitary Permit, the county should have proof that the plumber responsible for the installation attended training for the type of POWTS technology listed in Table 83.04-1. For formal classroom training, this “proof” may be in the form of a certificate from whoever ran the training course or a completed Attendance Verification Form that S&B provides to those putting on approved training. At this time, S&B does not intend to maintain a list of installers (or inspectors) that attend training.

Q. Is the county responsible for contacting the municipality to determine if they are willing to delegate the responsibility of whether the proposed construction will affect an existing POWTS under the provisions cited in Comm 83.25(2), or is it up to the local municipality to take the initiative?

A. This arrangement is strictly up to the county and the municipalities.

Q. Who is responsible for testing POWTS components before a POWTS system is put into service? The county, installer, or service provider?

A. **The installer is responsible for testing of POWTS components.** The county may ask to be present at the time the testing is being conducted. For example, Marathon County has written into their proposed ordinance that they are to be notified when

testing will be conducted. The county may choose to witness the testing at their discretion.

Q. Is there a mechanism or need to test influent quality? Are buildings having specific uses automatically viewed as exceeding the influent quality limits, and if so, are these building types recognized?

A. For most applications there should be no need to test influent quality. The revised Comm 83 was written based on the assumption that POWTS systems would treat “domestic wastewater.” Domestic wastewater is defined in Comm 81. In addition, Table A-83.43-1 in the Appendix lists public (commercial) facilities. Several types of facilities listed in that table may produce “high strength waste.” If there is a concern that the wastewater may be other than “domestic,” it would be appropriate to request that it be tested, or in the case of a proposed installation, that data from a comparable use be provided.

Q. Inspection, maintenance, or servicing reports shall be submitted in 10 business days, and in a manner specified by S&B or an agent. Can a county establish submission guidelines, or does the revised code require the submission of those reports within 10 business days without exception? Does the replacement of a tank manhole cover, riser section, baffle, pump, alarm, cleanout, vent, observation pipe, etc., constitute service or maintenance under this section?

A. Yes, in time. During the initial time period after code implementation, S&B expects that a variety of mechanisms or strategies for achieving the reporting requirement will be evaluated and implemented by counties and those who will be submitting the reports. The reporting requirements for inspection, maintenance, or servicing events that are listed in Comm 83.54(4) address existing POWTS. A reporting requirement will also be included after the effective date of the code in the management/maintenance plans that will be a part of the approved plans for other POWTS. Repairs such as those

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listed in the question are not subject to this reporting requirement. However, they may be subject to local permitting, inspection, and reporting requirements, if the county so desires.

Q. Comm 85 says a minimum of three soil profile evaluation excavations shall be used to delineate a site for each POWTS component. Profile evaluation excavations for a replacement area are not identified. However, on page 17 in the “In-ground Soil Absorption Component Manual” there is mention of a reserve area being identified, if one is provided. Does this mean the provision of providing a reserve area as part of the contingency plan is a viable option that a county can require in lieu of using a sewage holding tank as a replacement system?

A. In some instances, yes. A county may, by ordinance, require that other options be explored before a holding tank is designated as the “contingency plan.” For example, the proposed Marathon county ordinance says: “A sanitary permit for the installation of a holding tank, or which designates a holding tank as a replacement system, shall not be issued unless the Soil and Site Evaluation determines that the property is unsuitable for any other type of system permitted by Comm 83, Wisconsin Administrative Code...”

Q. Does the one-foot exception no longer apply where a mottled zone is less than 12 inches thick and is immediately above a textural change?

A. Yes. The one-foot rule has been replaced with provisions in Comm 85.30(3)(a)2 in recognition of the numerous petitions that were granted to exceed the requirement.

Q. Seepage Pits are no longer identified as a system alternative in the “In-Ground Soil Absorption Component Manual. By their omission, does this mean that seepage pits will no longer be allowed?

A. No, not necessarily. Seepage pits are not part of the In-Ground Soil Absorption Component Manual.” The component manuals are specific methods or technologies approved via a review

process identified in Comm 84. An individual plan submittal could be made to S&B with substantiation of seepage pit performance claims. If there is sufficient demand for seepage pit construction, perhaps someone will step forward and prepare a component manual that can be recognized via the processes identified in Comm 84.10(3).

Q. For subdivision lots or outlots that had a restriction or prohibition placed upon them, if a site is found that will allow the installation of a POWTS system, will S&B need to do a review and provide written documentation that the restriction or prohibition is waived?

A. Yes. Any lot restrictions or prohibitions recorded on a final plat that are related to POWTS systems suitability must be formally waived by S&B. The procedure in place for this waiver process under the former code will remain in effect when the revised code is implemented.

Q. Will soil suitability still have to be evaluated for pit privies?

A. Yes. Comm 91.12(1)(b)1 contains soil and site requirements for pit privies.

Q. Will water meters be required for existing structures served by a holding tank system?

A. Possibly. Comm 83.54(2)(c) states that influent flow meters shall be installed if a POWTS includes one or more holding tanks. This section applies to all new or replacement holding tank installations. Comm 83.54(2)(d) lists several methods that may be employed for metering influent flow. One of those includes the installation of a meter on the water distribution system.

Q. What will be the process for renewing a Sanitary Permit that was issued prior to the effective date of the revised code?

A. See article on page 6 of this *WPCR*.

Q. Who will be responsible for notifying owners of the operation, maintenance, and servicing responsibilities?

A. The owner. The owner of a POWTS is obligated to insure that the inspection, maintenance, or servicing be completed. The specific inspection, maintenance, or servicing requirements will either be part of an approved management plan for newly approved systems, or at intervals listed in the code for existing systems. The owner or their agent must report that data to S&B or designated agent (county). The county may choose a notification provision in their maintenance tracking system for other POWTS systems similar to the one used as part of the Wisconsin Fund maintenance process.

Q. Who will be enforcing the inspection, maintenance, servicing, and reporting responsibilities of the owner(s)?

A. Enforcement of these requirements will primarily be the responsibility of the counties.

Q. How will this reporting and tracking responsibility affect counties that currently send maintenance notices to property owners as part of their Wisconsin Fund program requirements?

A. Those counties that already operate a maintenance tracking system as part of their Wisconsin Fund program should be the least affected because they already have a mechanism in place. The key difference is that the database used for tracking will slowly be expanded to include all POWTS systems within their jurisdictional area.

Q. Will a Sanitary Permit be required for vault or pit privy installations?

A. No. The Sanitary Permit is issued for the installation of a POWTS system. The revised codes make a distinction between POWTS systems addressed in Comm 83 and non-plumbing systems addressed in Comm 91. Local governmental units may restrict or place more stringent requirements relative to the design, installation, maintenance, or use of non-plumbing systems. This includes the issuance of a local permit to allow the installation of a non-plumbing system listed in Comm 91.

Q. What criteria has been established to determine if an existing POWTS is “sufficient to accommodate” additional wastewater load? Can a county establish their own criteria for making this determination, such as one-bedroom increase, minimum tank capacities, undersized system covenant, two-bedroom increase, private or public?

A. Yes. Comm 83.25(2)(c) describes what a modification may consist of. The determination of whether the modification could affect the POWTS system could be based on various factors that may be unique to each site. In addition, 145.20(2)(e) and (g), Wis. Stats., give the local governmental unit broad authority to perform activities “considered appropriate by the governmental unit responsible for the regulation of private sewage systems...” This could include setting additional requirements or criteria, by ordinance, that specify when a determination has to be made.

Q. S&B has indicated that Sanitary Permits are not to be issued for non-plumbing systems listed in Comm 91. Does this create a conflict with the provisions of 66.036, Wis. Stats., that requires that a Sanitary Permit be issued prior to a building permit?

A. No. 66.036(1), Wis. Stats., states: “No county, city, town or village may issue a building permit for construction of any structure *requiring connection to a private domestic sewage treatment and disposal system* unless a system satisfying all applicable regulations already exists to serve the proposed structure or all permits necessary to install such a system have been obtained.” This statutory provision is intended to address situations where the structure contains or will contain plumbing that discharges domestic wastewater to a POWTS system. It was not intended to apply to non-plumbing systems such as those listed in Comm 91. A municipality can, by ordinance, require that a local permit for a non-plumbing system (if allowed within the municipality) be obtained prior to issuance of a building permit.